Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

# Filing at a Glance

Companies: Nationwide Mutual Fire Insurance Company, Nationwide Mutual Insurance Company, Nationwide Property

& Casualty Insurance Company

Product Name: Businessowners SERFF Tr Num: NWCM- State: Arkansas

125545830

TOI: 05.0 Commercial Multi-Peril - Liability & SERFF Status: Closed State Tr Num: EFT \$50

Non-Liability

Sub-TOI: 05.0002 Businessowners Co Tr Num: E-2008BDGD-7CML9U State Status: Fees verified and

received

Filing Type: Form Co Status: Reviewer(s): Betty Montesi,

Llyweyia Rawlins, Brittany Yielding

Author: Marie Safreed Disposition Date: 03/20/2008
Date Submitted: 03/14/2008 Disposition Status: Approved

Effective Date Requested (New): 05/22/2008 Effective Date (New): 05/22/2008

Effective Date Requested (Renewal): 06/09/2008 Effective Date (Renewal):

06/09/2008

State Filing Description:

## **General Information**

Project Name: Businessowner Form Revision Status of Filing in Domicile: Pending

Project Number: E-2008BDGD-7CML9U Domicile Status Comments:

Reference Organization: Reference Number:

Reference Title: Advisory Org. Circular:

Filing Status Changed: 03/20/2008

State Status Changed: 03/20/2008 Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

We are filing to adopt revised forms applicable for Businessowner policies. Please see the attached filing

memorandum.

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

# **Company and Contact**

**Filing Contact Information** 

Marie Safreed, State Filing Specialist safreem@nationwide.com
One Nationwide Plaza (614) 249-9741 [Phone]
Columbus, OH 43215 (614) 249-3922[FAX]

**Filing Company Information** 

Nationwide Mutual Fire Insurance Company CoCode: 23779 State of Domicile: Ohio

One Nationwide Plaza Group Code: 140 Company Type: Property &

Casualty

1-17-02

Columbus, OH 43215 Group Name: State ID Number:

(614) 249-2271 ext. [Phone] FEIN Number: 31-4177110

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Nationwide Mutual Insurance Company CoCode: 23787 State of Domicile: Ohio

One Nationwide Plaza Group Code: 140 Company Type: Property &

CoCode: 37877

Casualty

State of Domicile: Ohio

1-17-02

Columbus, OH 43215 Group Name: State ID Number:

(614) 249-2271 ext. [Phone] FEIN Number: 31-4177100

-----

Nationwide Property & Casualty Insurance

Company

One Nationwide Plaza Group Code: 140 Company Type:

1-17-02

Columbus, OH 43215 Group Name: State ID Number:

(614) 249-2271 ext. [Phone] FEIN Number: 31-0970750

-----

# **Filing Fees**

Fee Required? Yes
Fee Amount: \$50.00
Retaliatory? No

SERFF Tracking Number: NWCM-125545830 State: Arkansas EFT \$50

First Filing Company: Nationwide Mutual Fire Insurance Company, ... State Tracking Number:

Company Tracking Number:  $E ext{-}2008BDGD ext{-}7CML9U$ 

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

Fee Explanation: 50.00 for form filing

Per Company: No

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

COMPANY AMOUNT DATE PROCESSED TRANSACTION #

Nationwide Mutual Fire Insurance Company \$0.00 03/14/2008

Nationwide Mutual Insurance Company \$50.00 03/14/2008 18658064

Nationwide Property & Casualty Insurance \$0.00 03/14/2008

Company

 SERFF Tracking Number:
 NWCM-125545830
 State:
 Arkansas

 First Filing Company:
 Nationwide Mutual Fire Insurance Company, ... State Tracking Number:
 EFT \$50

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

# **Correspondence Summary**

### **Dispositions**

| Status   | Created By       | Created On | Date Submitted |
|----------|------------------|------------|----------------|
| Approved | Llyweyia Rawlins | 03/20/2008 | 03/20/2008     |

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

# **Disposition**

Disposition Date: 03/20/2008

Effective Date (New): 05/22/2008 Effective Date (Renewal): 06/09/2008

Status: Approved

Comment:

Rate data does NOT apply to filing.

**Overall Rate Information for Multiple Company Filings** 

Overall Percentage Rate Indicated For This Filing0.000%Overall Percentage Rate Impact For This Filing0.000%Effect of Rate Filing-Written Premium Change For This Program\$0Effect of Rate Filing - Number of Policyholders Affected0

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

| Item Type           | Item Name   | Item Status   | Public Access |
|---------------------|---|---|---------------|
| Supporting Document | Uniform Transmittal Document-Property Casualty      | Uniform Transmittal Document-Property & Approved Casualty |               |
| Supporting Document | Filing Memorandum                                   | Approved  | Yes           |
| Form                | Cap on Losses from Certified Acts of Terrorism      | Approved  | Yes           |
| Form                | Disclosure Pursuant to Terrorism Risk Insurance Act | Approved  | Yes           |

 SERFF Tracking Number:
 NWCM-125545830
 State:
 Arkansas

 First Filing Company:
 Nationwide Mutual Fire Insurance Company, ... State Tracking Number:
 EFT \$50

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

# **Form Schedule**

| Review   | Form Name         | Form #   | Edition | Form Type Action   | Action Specific Readability | Attachment  |
|----------|-------------------|----------|---------|--------------------|-----------------------------|-------------|
| Status   |                   |          | Date    |                    | Data                        |             |
| Approved | Cap on Losses     | Cas 6234 | 1-08    | Endorseme Replaced | Replaced Form #:0.00        | Cas 6234_1- |
|          | from Certified    | (1-08)   |         | nt/Amendm          | Cas 6234 6 06               | 08.pdf      |
|          | Acts of Terrorism |          |         | ent/Conditi        | Previous Filing #:          |             |
|          |                   |          |         | ons                |                             |             |
| Approved | Disclosure        | IL 09 85 | 1 -08   | Endorseme Replaced | Replaced Form #:0.00        | IL 0985_1-  |
|          | Pursuant to       | 01 08    |         | nt/Amendm          | IL 09 85 1 06               | 08.pdf      |
|          | Terrorism Risk    |          |         | ent/Conditi        | Previous Filing #:          |             |
|          | Insurance Act     |          |         | ons                |                             |             |

# CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS STANDARD PROPERTY COVERAGE FORM BUSINESSOWNERS SPECIAL PROPERTY COVERAGE FORM BUSINESSOWNERS LIABILITY COVERAGE FORM BUSINESS PROVIDER STANDARD PROPERTY COVERAGE FORM BUSINESS PROVIDER SPECIAL PROPERTY COVERAGE FORM BUSINESS PROVIDER LIABILITY COVERAGE FORM

A. The following provisions are added to the Businessowners and Business Provider Policies and apply to Property and Liability Coverages:

#### **Cap On Certified Terrorism Losses**

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in that Act for a "certified act of terrorism" include the following:

- The act resulted in aggregate losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
- The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

B. The following provision is added to Businessowners Standard Property Coverage Form, Businessowners Special Property Coverage Form, Business Provider Standard Property Coverage Form, or Business Provider Special Property Coverage form:

#### APPLICATION OF OTHER EXCLUSIONS

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Form or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War And Military Action Exclusion.

THIS ENDORSEMENT IS ATTACHED TO AND MADE PART OF YOUR POLICY IN RESPONSE TO THE DISCLOSURE REQUIREMENTS OF THE TERRORISM RISK INSURANCE ACT. THIS ENDORSEMENT DOES NOT GRANT ANY COVERAGE OR CHANGE THE TERMS AND CONDITIONS OF ANY COVERAGE UNDER THE POLICY.

# DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT

#### **SCHEDULE**

| Terrorism Premium (Certified Acts) \$ 0 This premium is the total Certified Acts premium attributable to the following Coverage Part(s), Coverage Form(s) and/or Policy(s): Not applicable |
|--|
| Additional information, if any, concerning the terrorism premium: Not applicable   |
| Information required to complete this Schedule, if not shown above, will be shown in the Declarations.   |

#### A. Disclosure Of Premium

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for terrorist acts certified under the Terrorism Risk Insurance Act. The portion of your premium attributable to such coverage is shown in the Schedule of this endorsement or in the policy Declarations.

# B. Disclosure Of Federal Participation In Payment Of Terrorism Losses

The United States Government, Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 85% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion.

#### C. Cap On Insurer Participation In Payment Of Terrorism Losses

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

 SERFF Tracking Number:
 NWCM-125545830
 State:
 Arkansas

 First Filing Company:
 Nationwide Mutual Fire Insurance Company, ... State Tracking Number:
 EFT \$50

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

### **Rate Information**

Rate data does NOT apply to filing.

Company Tracking Number: E-2008BDGD-7CML9U

TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners

Liability

Product Name: Businessowners

Project Name/Number: Businessowner Form Revision/E-2008BDGD-7CML9U

# **Supporting Document Schedules**

**Review Status:** 

Satisfied -Name: Uniform Transmittal Document- Approved 03/20/2008

Property & Casualty

Comments:

Attachments:

F777AR\_021307[1].pdf F778AR\_021307[1].pdf

**Review Status:** 

Satisfied -Name: Filing Memorandum Approved 03/20/2008

Comments: Attachment:

Legacy Forms Filing Memorandum.pdf

# **Property & Casualty Transmittal Document**

| 1.   | Reserved for Insurance Dept. U  | se Only                          | 1    | 2. Ins   | urance [    | Dena  | artment Us    | e only              |              |
|------|---|----------------------------------|------|--|-------------|-------|---------------|---------------------|--------------|
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|      |   |                                  |      | h. Sul   | oject Cod   | les   |               |                     |              |
| 3.   | Group Name  |                                  |      |  |             |       |               | Group               | NAIC#        |
|      | Nationwide Insurance Compar   | nies                             |      |  |             |       |               | 140                 |              |
| 4.   | Company Name(s)   |                                  |      |  | Domicil     | е     | NAIC #        | FEIN#               | State #      |
|      | Nationwide Mutual Insurance (   | Company                          |      |  | ОН          |       | 140-23787     | 31-<br>4177100      |              |
|      | Nationwide Mutual Fire Insura   | nce Compar                       | ny   | ny OH  |             |       | 140-23779     | 31-<br>4177110      |              |
|      | Nationwide Property & Casual  | ty Insurance                     | e Co | Company OH   |             |       | 140-37877     | 31-<br>0970750      |              |
|      |   |                                  |      |  |             |       |               |                     |              |
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|      |   |                                  |      |  |             |       |               |                     |              |
| 5.   | Company Tracking Number   |                                  |      | E-2008   | BDGD-7      | CML   | .9U           |                     |              |
| Cor  | ntact Info of Filer(s) or Corpo                                       | rate Officer                     | (s)  | [include   | toll-free   | num   | nber]         |                     |              |
| 6.   | Name and address  | Title                            |      | Teleph   | one #s      |       | FAX#          | e-                  | -mail        |
|      | Marie Safreed<br>One Nationwide Plaza<br>1-17-02<br>Columbus OH 43215 | State Fil<br>Specialist          | ing  | (614) 24   | 19-9741     | (614  | 4) 249-3922   | 2 safreem<br>de.com | @nationwi    |
|      |   |                                  |      |  |             |       |               |                     |              |
| 7.   | Signature of authorized filer   |                                  |      | Mari   | 4 T. )      | Saj   | heed          |                     |              |
| 8.   | Please print name of authorize  | ed filer                         |      | Marie S  | afreed      |       |               |                     |              |
| Fili | ng information (see General   | Instructions                     | for  | descripti  | ons of th   | ese   | fields)       |                     |              |
|      |   |                                  |      | 5.0 Commercial Multiple Line – Liability and Non-Liability |             |       |               |                     |              |
|      | · · · · · ·   |                                  |      | 001111110  | TOIGH IVIGH |       |               |                     | on Liability |
|      | Sub-Type of Insurance (Sub  | o-TOI)                           |      |  | sowners     |       |               |                     | on Liability |
|      | Sub-Type of Insurance (Sub-State Specific Product code                | o-TOI)<br>(s) (if                |      |  |             |       |               |                     | on Elability |
| 11.  | Sub-Type of Insurance (Sub  | o-TOI)<br>(s) (if<br>juirements] | 5.2  |  | sowners     |       | -             |                     | on Liability |

| <b>⊏</b> 44 - 44. | Marral 4, 0007                             |   |
|-------------------|--|---|
|                   | /e March 1, 2007                           | Rate/Loss Cost Rules Rates/Rules  |
| 13.               | Filing Type                                |   |
|                   |  |   |
| 1.1               | Effective Date(s) Requested                | <ul><li>Withdrawal ☐ Other (give description)</li><li>New: 05-22-08</li><li>Renewal: 6-9-08</li></ul> |
|                   | Effective Date(s) Requested                |   |
|                   | Reference Filing?                          | ☐ Yes ☒ No  |
|                   | Reference Organization (if applicable)     |   |
|                   | Reference Organization # & Title           |   |
|                   | Company's Date of Filing                   | Not Filed Dending Authorized Disconnected   |
| 19.               | Status of filing in domicile               | ☐ Not Filed ☐ Pending ☐ Authorized ☐ Disapproved  |
|                   | Property & Casual                          | ty Transmittal Document—  |
| 20.               | This filing transmittal is part of Compa   | ny Tracking # E-2008BDGD-7CML9U   |
| 1                 |  |   |
| 21.               |  | d in lieu of a cover letter or filing memorandum and is free-   |
|                   | form text]                                 |   |
|                   |  |   |
|                   |  | or Businessowners policies. Please see the attached filing  |
| memo              | orandum.                                   |   |
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| 22.               | Filing Fees (Filer must provide check # a  | and fee amount if applicable)   |
| <b>ZZ.</b>        | [If a state requires you to show how you o | alculated your filing fees, place that calculation below]   |

Effective March 1, 2007

Check #: N/A submitted by EFT

**Amount:** 50.00

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

<sup>\*\*\*</sup>Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

# FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)
(Do <u>not</u> refer to the body of the filing for the forms listing, unless allowed by state.)

| 1. | This filing transmittal is part of Company Tracking # E-2008BDGD-7CML9U   |                                   |   |   |  |  |  |
|----|---|-----------------------------------|---|---|--|--|--|
| 2. | This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable) |                                   |   |   |  |  |  |
| 3. | Form Name<br>/Description/Synopsis  | Form #<br>Include edition<br>date | Replacement<br>or<br>Withdrawn?                               | If replacement,<br>give form #<br>it replaces | Previous state filing number, if required by state |  |  |
| 01 | Cap on Losses from<br>Certified Acts of Terrorism   | Cas 6234 (1-08)                   | <ul><li>New</li><li>⊠ Replacement</li><li>Withdrawn</li></ul> | Cas 6234 (6-06)                               |  |  |  |
| 02 | Disclosure Pursuant to<br>Terrorism Risk Insurance<br>Act   | IL 09 85 01 08                    | <ul><li>New</li><li>⊠ Replacement</li><li>Withdrawn</li></ul> | IL 09 85 (1-06)                               |  |  |  |
| 03 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 04 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 05 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 06 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 07 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 08 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 09 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |
| 10 |   |                                   | New Replacement Withdrawn                                     |   |  |  |  |

# NATIONWIDE MUTUAL INSURANCE COMPANY NATIONWIDE MUTUAL FIRE INSURANCE COMPANY NATIONWIDE PROPERTY AND CASUALTY INSURANCE COMPANY

#### FILING MEMORANDUM

#### BUSINESSOWNERS AND BUSINESS PROVIDER FORMS FILING

The purpose of this filing is to comply with the Terrorism Risk Insurance Program Reauthorization Act of 2007 that was signed into law on December 26, 2007.

The following form changes are requested as part of this filing:

CAS 6234 – Cap on Losses from Certified Acts of Terrorism. We are replacing the 6/2006 edition of the form with the 1/2008 edition.

IL 0985 – Disclosure Pursuant to Terrorism Risk Insurance Act. We are replacing the 1/2006 edition of the form with the 1/2008 edition.

We are also deleting two forms:

CAS 6361 – Conditional Exclusion Of Terrorism (Relating To Disposition Of Federal Terrorism Risk Insurance Act).

CAS 6364 -- Limited Exclusion Of Acts Of Terrorism (Other Than Certified Acts Of Terrorism); Cap on Losses from Certified Acts of Terrorism; Coverage for Certain Fire Losses.

All forms derive language from ISO equivalents. There will be no impact to the premiums paid by insureds due to this form revision. We do not have a separate charge for terrorism coverage.

Attached, please find a copy of each revised form for your review and approval.

We request approval effective the date shown in the Transmitter Header Document.